



## **Report to the Legislature**

### **NATURALIZATION FACILITATION As required by RCW 74.08A.130**

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**Department of Social & Health Services  
Economic Services Administration  
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Exhibit A. RCW 74.08A.130

Exhibit B. List of Naturalization Contractors

Exhibit C. Seattle Times Newspaper Article

Exhibit D. Naturalization Requirements

# **EXECUTIVE SUMMARY**

## **Economic Services Administration**

### **Department of Social and Health Services**

#### **NATURALIZATION FACILITATION SERVICES**

The Department of Social and Health Services coordinates naturalization facilitation services by contracting statewide with Community Based Organizations (CBOs) to provide citizenship services to eligible immigrants. These services are mandated by RCW 74.08A.130 (Exhibit A). To become a U.S. citizen, a refugee or immigrant must learn basic U.S. history and civics and pass a written or oral exam given in English by the U.S. Immigration and Naturalization Service (INS). The two major components of state/federal funded naturalization services include citizenship preparation training and funding for the INS fees.

#### **PROGRAM OUTCOMES**

**Since April 1997 when the program began:**

- 5,826 eligible immigrants were served and 1,639 have become U.S. citizens.
- Almost half are 65 years old or older and the majority of participants have a limited English proficiency.

**In SFY 2001:**

- 2,463 refugees and immigrants received services and 608 became U.S. citizens. Contracted service costs total approximately \$1.3 million dollars (\$850,000 State and \$450,000 Federal).
- 303 participants with disabilities received disability exception applications approved by the INS.
- The estimated annualized savings in state funds resulting from the transfer of newly naturalized clients from state to federal assistance is approximately \$1.4 million per year.

#### **FUTURE DIRECTION**

The department and its contractors are committed to continue providing naturalization facilitation services to immigrants and recognizes that there may be a need to reduce the costs of the program in light of the state's budget crisis.

To maintain the program the department may have to consider possible program changes, including one or more of the following: restrictions on reimbursements for INS fees; reducing the number of contractors; and limiting the amount of citizenship preparation training each participant may receive. In addition, it will be important to give priority to recipients of state cash, medical and food assistance programs and those needing naturalization to apply for SSI.

The use of both state and federal funds may make it more difficult for contractors to administer naturalization services. Each funding stream carries its own set of restrictions both in terms of use and which immigrant group it can be used for. Contractors may also propose higher unit costs per client for their services. These issues present challenges as the department implements the contracts for State Fiscal Year 2003. Therefore, it is essential to determine funding limits and to work out next year's agreements well in advance of the new service year that begins July 1, 2002.

Success in helping immigrants achieve citizenship has made this program popular with local community providers, advocates, and the clients served. It also results in cost savings to the state and enhances the life of our refugee and immigrant population.

# **FY 2001 REPORT ON NATURALIZATION FACILITATION**

## **I. BACKGROUND**

In April 1997 in response to federal welfare reform that limited access for most immigrants to federal programs, the Washington State Legislature created these state funded programs: State Family Assistance (SFA) program; state funded Medical Services, and the Food Assistance Program (FAP). These programs were intended to create a safety net for needy immigrants who became ineligible for federal TANF, Medical and Food Stamp programs. Under federal welfare reform, immigrants can receive these benefits if they achieve citizenship through the naturalization process.

To address the need for a long-term solution to the requirement that immigrants must be citizens to be eligible for some federal benefits, the Legislature requires that the Department of Social and Health Services (DSHS) offer naturalization assistance to legal immigrants receiving public assistance (RCW 74.08A.130, Exhibit A). The department must identify and inform them of available naturalization services, coordinate and contract with existing resources to help facilitate their applications for naturalization, provide citizenship preparation classes and help them apply for test exemptions when appropriate. The department must also submit an annual report to the legislature each year on program progress and issues pertaining to naturalization.

There are many reasons why immigrants want to naturalize which include the right to vote, access to better employment, family unification, need for stability in light of immigration law that exposes non-citizens to an increased risk of deportation, and access to federal benefits. Additionally, there is a new federal law now that allows children to automatically become citizens if at least one parent naturalizes. This provides the children with the same rights and advantages that their parents acquire through naturalization.

## **II. BARRIERS TO NATURALIZATION**

The naturalization process can be especially difficult for the elderly and persons with limited English proficiencies since they must meet the INS criteria for naturalization and correctly answer questions regarding U.S. history and government in an interview before an INS Examiner (Exhibit B). Naturalization Services assists many immigrants overcome anxieties and barriers to the citizenship process. Some of these concerns include:

- Fear of going to the INS for their interview;
- Age related memory problems and their impact on learning civics and history;
- Inability to speak English under the pressure of the Citizenship interviews;
- Citizenship classes that are tailored for “everyone” regardless of English capabilities;
- Difficulty in obtaining an exception to the testing process due to disability; and
- Costs related to applying for naturalization.

Our Community Based Organization (CBO) contractors play a big role in addressing these concerns noted above and preparing the clients they serve for the citizenship application process. The CBOs provide their participants with key services including assistance in completing the INS application, preparation for the INS interview, and payment of INS fees if the client has no income.

Applicants must complete a four-page application, obtain fingerprints for background checks and correctly answer questions regarding U.S. government and history as well as show their ability to speak English. The fees for the application and fingerprints are covered by funds for this program. Applications take between eight to ten (8-10) months to be processed and may be delayed even further if INS requests more documentation. During this time, participants may be receiving class training on U.S. history and civics or practice with their English skills.

### **III. CLIENTS TARGETED FOR NATURALIZATION SERVICES**

An analysis of the department's public assistance database indicates there are about 23,000 adult public assistance recipients who may qualify for the naturalization program. These include immigrants who were barred from federal benefits because of their non-citizen status even though they were residents in the country prior to federal welfare reform in August 1996. Examples of clients most impacted by this service include:

- Non-citizens who lived in the U.S. before August 1996 who reach age of 65 this year and meets SSI income standards. They are not eligible for SSI based solely on age; they must be either disabled or a U.S. citizen to qualify.
- Immigrants who entered the U.S. shortly after welfare reform (August 1996) who were immediately barred from receipt of federal benefits will be eligible to naturalize this year. Importantly, many elderly immigrant and refugees residing in our state will be required to be naturalized in order to receive federal food stamps or age related SSI. Thus, services to help clients naturalize will be more significant to moving newly naturalized low-income citizens from state-funded assistance to federal programs during the upcoming year.

Currently, naturalization services are available to all legal immigrants receiving public assistance. Priority participants are those receiving the state family, food and medical programs.

Washington State continues to be one of the top five states resettling new refugees. It also should be noted that each year Washington receives approximately 10,000 – 15,000 new immigrants and refugees each year. Of these it is estimated at least 10 percent are elderly. These numbers support the fact the potential pool of immigrant and refugee clients is growing and it is anticipated that the demand for naturalization services will continue to be greater than our ability to purchase services.

### **IV. PROGRAM SERVICES**

In response to the legislative mandate, the department offers naturalization facilitation services by contracting directly with CBOs or with the City of Seattle, which uses DSHS funds to maximize services. Naturalization services are offered through 41 CBOs throughout the state (Exhibit C).

CBOs have ties to ethnic communities through other social service programs and each agency employs bilingual staff who are essential to outreach and service provision. These ties have helped our program earn the trust and respect of the ethnic communities by helping participants not only access these services, but also understand the importance citizenship plays in maintaining or obtaining benefits.

#### **A. Basic Contracted Services**

Low income immigrants who are elderly, disabled and/or Limited English Proficient (LEP), need a great deal of assistance to become citizens. The program has helped this vulnerable population by providing services that are accessible, culturally appropriate and geared toward their language and literacy level. Under the department's naturalization contracts, CBOs:

- Provide non-legal assistance with the naturalization application process.
- Pay the INS naturalization application, fingerprinting and photo fees (\$225 to \$250 per applicant).
- Assist applicants obtain test exemptions for the language and civics requirements of the test when appropriate.
- Provide citizenship preparation training and activities through classroom instruction that include language/vocabulary needed for the test.
- Assist clients who are reapplying and/or need special accommodations at the interview.

Citizenship classes are held in CBO classrooms, community colleges, neighborhood community centers, church facilities, and housing multi-purpose rooms. The time of day that the service is offered, class location, teaching techniques, and transportation assistance are tailored to the various needs of the participants. Since many recipients are elderly and some suffer from age related memory loss or lack of concentration, they need to spend more time in classes, practicing and studying before they can successfully pass the test. These participants often delay applying for naturalization until they are confident they can pass the interview by the time it takes for the INS to process their application.

CBO staff also assist applicants to apply for test exemptions, ensuring that those who meet the language exemption have interpreters at the interview. They also facilitate the process of helping applicants obtain medical information from their physicians or psychologists that are needed by the INS to make a determination. They also help those who may need to request special testing accommodations or modifications for their disabilities.

The experience gained over the last four years in this state through partnership with CBOs has helped to develop services and teaching strategies that work for a wide range of participants. Ultimately the program has seen a marked increase in citizenship applications and an increase in the number of immigrants moving off state assistance as a result of citizenship.

## **B. Test Exemptions**

Some immigrants may be eligible for test exemptions of the English and full civics testing if they are 50 years old and have been a permanent resident of the U.S. for a long period of time. There are three different age and residency exemptions that allow the applicant to take the test in his/her primary language, or if illiterate, orally. In some cases where the applicant is 65 years of age or older, s/he may be given a shortened version of the test.

## **C. Outreach**

The CBOs and their linkage to immigrant/refugee communities is an effective tool to inform elderly immigrants/refugees about the Naturalization Facilitation Program. Many immigrants who arrived shortly after welfare reform took affect are now eligible to apply for naturalization and through this program they can now quickly access services. Additionally, in Seattle, where immigrants are most concentrated, most of the local libraries display citizenship materials and information regarding classes provided locally through these funds.

Additionally, as required by the RCW 74.08A130, every year the department mails a notice in seven different languages to recipients receiving state funded food assistance regarding available contracted naturalization services in their area. The most recent mailing occurred in February 2001.

## **D. Average Cost Per Participant:**

This year the average cost per participant for citizenship preparation training, assistance with the INS application process and INS interview follow-up services was \$393.00. The average amount of citizenship-preparation training was 42 hours per person.

## **E. INS Fees**

In addition to having some fluency in the English language and knowledge of U.S. history and civics, a major problem for low-income immigrants is the cost of naturalization. The program covers the fees charged by the INS for naturalization applications and fingerprints. Two-thirds of the participants served during the year have received assistance from CBOs in completing the naturalization application, arranging for the required photos, and covering the INS fees at a cost ranging from \$225 to \$250 per applicant depending on their age. The number of participants receiving INS application and fee assistance increased by 26 percent over the last year.

Importantly, it should be noted that the INS is considering increasing naturalization fees by 24 percent next year. These potential cost increases could affect the number of clients we are able to serve under current funding levels.



Applicants who have a physical or mental disability that affects their cognitive abilities to interview may request INS to waive both the English and civics requirements. In order for the INS to approve the waiver, the applicant must have their physician or psychologist complete an INS Disability Exception form that describes the disability(s) and its affect on the applicant's ability to take the INS test. The INS scrutinizes these to ensure that only those meeting their criteria are approved for the waiver.

During the year, the CBOs provided assistance to many of their disabled clients with the disability exception process by helping them obtain the documentation that needs to be provided by the physician or psychologist. The number of CBOs who reported that they assisted clients with disability waivers doubled from the previous year.

## **V. PARTNERSHIP WITH THE U.S. IMMIGRATION & NATURALIZATION SERVICE – SEATTLE OFFICE**

The department worked with staff from the Immigration & Naturalization Service to become more involved with contracted CBOs. As a result, INS staff:

- Provided training to CBOs on how to screen applicant's who may be eligible for disability waivers and if eligible how to ensure that the applications were complete.
- Provided information to the CBOs on completing fee waivers and test exemptions.
- Conducted interviews of program clients to prepare them for the special swearing-in ceremony at the Citizenship 2001 Celebration held in Seattle on September 19, 2001. INS naturalized 25 new citizens on that day (Exhibit C).
- Conducted special naturalization interviews for elderly and/or disabled clients in Vancouver.

It should also be noted that during the year, the Seattle INS office experienced severe staff shortages which affected the processing of applications and requests for disability waivers. Additionally, there have been some changes within the INS, which has recently affected how applicants are approved for disability exceptions. During the last year INS staff began looking more closely at these waivers, oftentimes requiring applicants to obtain additional documentation of his/her disability. As a result contractor must spend more time per case.

At the end of FY 2000 it took the INS about six months to process applications. However, by the middle of FY 2001 application processing timeframes increased slightly to eight to ten months. Despite the application processing changes and the increased timeframes, the partnership with INS is seen as positive by DSHS, CBOs, and citizenship applicants.

## **VI. PROGRAM BUDGET ISSUES**

In FY 2001, federal funds were added to the budget to maintain services at the \$1.3 million (\$850,000 state and \$450,000 federal) contract level for that fiscal year. Use of federal funds is restricted, as they can only be used for refugees and cannot be used to pay for INS fees.

This change adds increased administrative complexity as contractors must track two client groups (refugees and other immigrants) and funding streams (federal vs. state) to ensure funds were being used appropriately. For FY 2002 the department is maintaining the same funding level as it did in FY 2001 using both state and federal funds.

Another new funding challenge is an INS proposal to increase naturalization fees by 24 percent. This will increase fees by \$60 for all applicants between 18 – 75 years old. If approved by Congress the increase will go into effect this fiscal year, which will reduce the available funding for classroom training and other services.

## **VII. PROGRAM OUTCOMES**

Over the past four years, improvements have been made to strengthen the program and maximize services to eligible immigrants. For example, many CBOs have increased their capacity to provide citizenship instruction and the department has raised performance goals and improved the accuracy of its count of persons who naturalize. The department's citizenship database has been restructured to include changes in service delivery, and the service capacity has increased in King County and Eastern Washington.

As noted below over 1,600 clients have received citizenship as reported by the CBOs. This number is likely to be much higher because not all participants report their naturalization to our contractors and the time period between service and citizenship extends into future contract periods.

Specific services and outcomes reported to the department since the program began in April 1997 through June 2001 (Year to Date) and for State Fiscal Year 2001 are shown below:

	<b><u>April 1997–June 2001</u></b>	<b><u>July 2000–June 2001</u></b>
Total participants	5,826	2,463
Total reported as naturalized	1,639	608
Person hours of training	246,318	71,794
Application fees paid	3,740	1,646
Disability Certifications	674	303

## Naturalization Participant Profile

From April of 1997 to the end of FY 2001 (June 2001) naturalization services were provided to 5,800 immigrants. Client characteristics are as follows:

- Average Age                      54 years
- Sex                                  Female 62% and male 38%
- Ethnicity                          64% Asian/Pacific Islander  
   22% Caucasian (Former Soviets, Eastern European)  
   14% Hispanic, African or other

## VIII. ESTIMATED COST SAVINGS FROM NATURALIZATION SERVICES

All immigrants/refugees served by the department's Naturalization Program received some form of public assistance. One of the direct cost savings from naturalization facilitation services is that immigrants who receive state assistance become eligible for federal benefits when they attain citizenship. Also, clients who are eligible to receive federal benefits for a limited amount of time will remain eligible for them when they naturalize.

Of the 1,639 persons who were reported to have achieved citizenship, approximately 45 percent of them were recipients of the state food assistance program (FAP). The average monthly food assistance amount in FY 2001 was \$149.00. Switching food assistance benefits from the state funded program to the federal food stamp program for FAP recipients who naturalized results in estimated cost savings to the state budget of approximately \$1.3 million per year.

## IX. FUTURE DIRECTION

As we enter FY 2003, the department will have to consider several factors as we plan for next year's Naturalization Facilitation Program in light of the state budget, increased INS fees, and the need to improve program results. Decisions for next year's program must be made no later than February 2002. Below is a list of key items the program will have to address:

- Require contractors to file fee waivers on all recipients receiving cash grants instead of providing funding for the application fee.

**Pros:** This would save state dollars and maximize services for more immigrants.

**Cons:** This would increase workload for contractors, as they would need to gather enough information to justify the waiver request. It adds another step to an already complex process and would likely increase application processing times for many clients.

- Reduce the contracted provider network to a more manageable network to increase efficiency and manage the resources we have locally.

**Pros:** This would reduce the administrative costs for managing the program in some areas and allow the department to work more closely with fewer contractors in an effort to help them achieve better results.

**Cons:** This would limit the access sites for the program. In addition, it would reduce our leverage on other local resources that support citizenship services.

- Limit the amount of training hours allowable and/or the number of students served to contain costs.

**Pros:** This would require a consistent standard for hours for all agencies and will reduce the cost for training that goes to clients who need a lot of training.

**Cons:** This would affect contractor's flexibility to provide more service to participants in need. It may also place contractors in a position to terminate services to these participants who are often the elderly who have little chance succeeding on their own because a reduction in hours may not result in success.

The department and its contractors are committed to continue providing Naturalization Facilitation Services to refugees/immigrants. It is clear that the community views this project as most beneficial to immigrants and refugees. As evidenced by this year's program statistics the demand is high and contractors did an excellent job in delivering a complex service.

Based on the current demand and funding levels (approximately \$850,000 State and \$450,000 Federal), the department will have to consider reducing the following areas of the program:

- The number of contractors;
- The amount of citizenship preparation training each participant may receive; and
- The number of clients we will serve next year.

The department will also increase our efforts next year to prioritize naturalization services to clients receiving state cash, medical and food assistance program benefits and to those needing naturalization to apply for SSI and/or the federal Food Stamp Program.